

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3139

IN THE MATTER OF:

Served March 28, 1988

Transcontinental Enterprises, Inc.,)
v. O&R Management Corporation)

Case No. FC-88-01

By formal complaint, filed January 29, 1988, Transcontinental Enterprises, Inc., alleges that O&R Management Corporation ("O&R") has provided passenger transportation for hire to the United States Environmental Protection Agency ("EPA") in violation of the Compact and certain Commission rules and regulations. By answer, filed February 16, 1988, O&R admits that it has provided service for EPA but denies that the service constitutes passenger transportation for hire.

We have reviewed the record in this case and find that, because certain issues of fact central to this dispute remain unresolved, O&R has failed to satisfy the complaint. Consequently, the matter will be scheduled for hearing in accordance with the Compact, Title II, Article XII, Section 13(a).

Complainant Transcontinental Enterprises, Inc., will be assessed \$1,000, preliminarily estimated to cover the costs of these proceedings. Defendant O&R Management Corporation will also be assessed \$1,000 for the same purpose. We shall determine who bears the expenses according to the results.

THEREFORE, IT IS ORDERED:

1. That Case No. FC-88-01, a complaint proceeding alleging unlawful operations by O&R Management Corporation, is hereby instituted pursuant to the Compact, Title II, Article XII, Section 13(a) for the purpose of determining whether that corporation has violated the Compact or the Commission's rules or regulations as specified in the complaint of Transcontinental Enterprises, Inc.

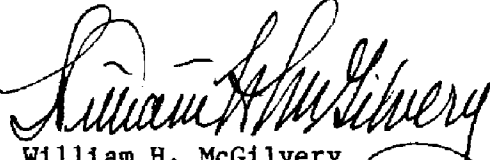
2. That a public hearing in Case No. FC-88-01 is hereby scheduled to commence Thursday, April 28, 1988, at 9:30 a.m. in the hearing room of the Commission, Room 314, 1625 I Street, N.W., Washington, D.C. 20006, and to continue from day to day thereafter until completed.

3. That, pursuant to the Compact, Title II, Article XII, Section 19, Transcontinental Enterprises, Inc., is hereby assessed \$1,000, an amount preliminarily estimated to cover the expenses of these proceedings and directed to deliver said sum to the office of the Commission, Suite 316, 1625 I Street, N.W., Washington, D.C. 20006, not later than Friday, April 15, 1988.

4. That, pursuant to the Compact, Title II, Article XII, Section 19, O&R Management Corporation is hereby assessed \$1,000, an amount preliminarily estimated to cover the expenses of these proceedings, and is directed to deliver said sum to the office of the Commission, Suite 316, 1625 I Street, N.W., Washington, D.C. 20006, no later than Friday, April 15, 1988.

5. That O&R Management Corporation shall file with the Commission no later than Friday, April 15, 1988, evidence as to the owner(s), lessor(s), and lessee(s) of the "two new 21-passenger buses" referenced on Exhibit B of its answer to the complaint and evidence of the insurance on those vehicles, including all named insureds and the name(s) of the entity paying the premium(s) thereon, from the time those vehicles were placed in service until February 1988.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director